

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA, -vs- REX MICHAEL KERN, JR.,	Plaintiff, Defendant.
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**Case No. 4:22-CR-06038-MKD-1
CRIMINAL MINUTES
DATE: JANUARY 19, 2023
LOCATION: RICHLAND/VIDEO
PRETRIAL CONFERENCE**

Honorable Mary K. Dimke		
Cora Vargas Courtroom Deputy	02 Law Clerk	Kimberly Allen Court Reporter
David Herzog Government Counsel		Nicholas Marchi Defense Counsel

Open Court

Chambers

Video Conference

Defendant present, appearing via video conference from the Kittitas County Jail; counsel appearing via video conference.

Defendant consented to proceeding via video conference.

Mr. Marchi moved to continue pretrial conference and trial dates (ECF No. 30) on behalf of defendant and stated the basis for continuance.

Mr. Herzog confirmed the government does not oppose the continuance request, especially given the fact that both counsel are new to this matter and the need for counsel to review discovery.

The Court engaged the defendant in a colloquy regarding his right to a speedy trial and confirmed his understanding and agreement to waive that right.

Speedy Trial Waiver and Statement of Reasons in Support of the Motion to Continue Trial Date previously signed and filed by defendant, ECF No. 32.

Court: ends of justice are served by granting a continuance of the trial date; Defendant's Unopposed Motion to Continue Trial Date and Resetting Dates for Filing Motions and Pre-Trial Conference, ECF No. 30, is **GRANTED**; excludable speedy trial act time ordered; the following dates are reset as follows (other deadlines to be set forth in order):

Expert Disclosures:	02/09/2023
Pretrial Motions Deadline:	03/02/2023
Pretrial Motion Responses:	03/23/2023
Pretrial Motion Replies:	03/30/2023
Pretrial Conference:	04/20/2023 at 2:30 PM in Richland
Jury Trial:	05/08/2023 at 9:00 AM in Richland, with a Final PTC at 8:30

ORDER FORTHCOMING

CONVENED: 1:05 P.M.	ADJOURNED: 1:12 P.M.	TIME: 0:07 HR.	CALENDARED [X]
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The Court informed the parties of the following:

- counsel shall request realistic trial dates based on the case, not 90-day placeholder dates, and shall diligently work to meet the deadlines and trial date set in this matter; and
- the Court is inclined to sever counts and proceed to trial on the earlier charged counts if a Superseding Indictment is filed that necessitates a continuance motion by defense counsel.